

Electronic Mail/Messaging Policy

Definitions

Access. As a verb, to gain the ability to view and read the contents of a computer and /or maintained file.

Disclose. To expose a computer-generated and/or maintained file to the attention of someone other than the originator or original recipient.

Electronic mail (e-mail)/messaging. Non-interactive communication of text, data, images between a sender and a designated recipient(s) by system utilizing telecommunications links.

Monitor. As a verb, the ability of a computer program or a human to check, observe, test, track, or watch.

Policy

- A. Users of the State-provided E-mail/messaging systems should be made aware that by using E-mail/messaging they are creating an electronic record that may remain on their computer or someone else's computer system for an indefinite period of time. The content of an e-mail/messaging document is subject to an agency's record retention schedules. However, e-mail/messaging systems are not record storage systems and public records should be stored in another medium, such as a printed copy or a word processing file.
- B. State-provided e-mail/messaging systems are State property and are intended for official business. The use of e-mail/messaging systems by State employees is a privilege which constitutes the acceptance of responsibilities and obligations that are subject to all federal, state, and local laws and regulations. State employees are subject to discipline for misuse or unauthorized access, disclosure or monitoring of electronic mail in accordance with applicable laws, regulations, collective bargaining agreement, and agency progressive discipline practices.
- C. State employees should not expect their e-mail/messaging communications to be private, and should not use State-provided e-mail/messaging systems for confidential matters that are not intended for public disclosure. E-mail/messaging, unless secure, should not contain confidential information.
- D. Nothing in this policy and in subsequent standards, including those issued by State agencies or departments to implement this policy, shall be construed to waive any claim of privilege or confidentiality for the contents of electronic mail available to the State or to require public disclosure of electronic communications.

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- E. State-provided e-mail/messaging systems may be monitored. Any unauthorized use discovered during such monitoring shall be reported to management for appropriate action.
1. Approval to access or disclose e-mail/messaging may be granted by a cabinet officer or designee for any legitimate purpose, including, but not limited to the following circumstances:
 - a. In the course of asserting a claim or legal defense of the Department or a Department employee in a civil action or administrative proceeding;
 - b. Non-criminal investigations of allegations of employee misconduct or violations of law;
 - c. Audits or performance review;
 - d. Non-criminal investigations of abuse of agency resources;
 - e. Investigations of breaches of security or confidentiality
 2. Authorized systems administrators, during the course of system maintenance and testing for system security, shall report to appropriate management any unauthorized use or breaches of security discovered.

Rules & Responsibilities

Agency

Ensure this policy is distributed to all employees.

Develop agency policies, guidelines, procedures and other management controls to comply with State policies.

Authorize access to State-provided e-mail/messaging systems for agency staff.

Ensure only duly authorized persons use State-provided e-mail/messaging systems.

Provide proper training to all employees using State-provided e-mail/messaging systems.

Establish internal controls for monitoring compliance.

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Establish internal operating procedures to conduct audits of State-provided e-mail/messaging mail systems when deemed appropriate.

Employee

Comply with this policy and with all standards and guidelines referenced within this policy.

Comply with all applicable government codes of ethics and the New Jersey Conflicts of Interest Law.

References

Circular No. 97-02-OTS: Internet Access and Use Policy for New Jersey Government.

Circular No. 97-03-OTS: Guidelines for Acceptable Internet Access and Use for New Jersey Government